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C O N F I D E N T I A L SECTION 01 OF 10 STATE 118799

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E.O. 12958: DECL: 11/17/09
TAGS: PREL UNGA KPAL IS SY LE

SUBJECT: OPPOSING UNGA RESOLUTIONS WITH ANTI-ISRAEL BIAS

REF: STATE 112828

Classified by IO Assistant Secretary Esther D. Brimmer
for reasons 1.4(b) and (c).

Summary and Action Request

¶1. (SBU) Posts are requested to approach the highest appropriate officials in host governments in pursuit of the following objectives:

-- a reduction in the overall number of one-sided UN General Assembly resolutions on the Middle East;

-- the defeat of three resolutions reaffirming the "Committee on the Exercise of the Inalienable Rights of the Palestinian People," the "Division for Palestinian Rights within the UN Secretariat," and the "Special Committee to Investigate Israeli Practices Affecting the Human Rights of the Palestinian People and Other Arabs of the Occupied Territories;"

-- the continuation of opposition to full and undifferentiated General Assembly endorsement of the recommendations of the Fact-Finding Mission on the Gaza Conflict (aka the "Goldstone report").

Posts may draw on the background in paragraphs 2-5, the list of resolutions in para 6, the prior voting records in paragraphs 7-8, strategic considerations outlined in paragraphs 8-10, and talking points in para 11 and 12 in making this demarche. Posts should particularly focus on the material relevant to their host government rather than seeking to convey the full analysis covering all UN member states. Countries that have previously voted "yes" (as indicated in paragraph seven), should be urged to vote "no," or at least abstain or absent themselves from the voting. Those that have abstained or been absent should be urged to vote "no." Chiefs of Mission may exercise discretion in determining what method to use in conveying firm U.S. opposition to these one-sided resolutions in order to elicit the most constructive possible outcome. All posts are encouraged to make U.S. opposition to such resolutions a standard part of our regular dialogue with host governments about UN engagement and the Middle East.

General Background

¶2. (U) Each fall, the UN General Assembly considers and adopts a disproportionate number of one-sided resolutions related to the Middle East. Last year, at the 63rd UNGA, of 311 resolutions adopted, 21 focused on explicit criticism of Israel and/or support for the Palestinian people with a criticism of Israeli actions implied.

This, despite the fact that the situation in the Middle East is reviewed in monthly briefings in the Security Council and periodic reports of the Quartet (UN, U.S., Russia, EU). This year, starting with votes in the Assembly's Fourth Committee on November 19-20 and plenary debate on November 30-December 2, a similar number of redundant, one-sided resolutions will again be considered. In general, the resolutions are very similar to those adopted last year, although this year several references to the Fact-Finding Mission on the Gaza Conflict (the "Goldstone report") have been inserted.

¶3. (U) The U.S. sees no contradiction between support for the Palestinian people and support for Israel. Our clearly stated goal is for there to be two states living side by side in peace and security: a Jewish state of Israel and a viable, independent Palestinian state with contiguous territory that ends the occupation that began in 1967. We back up our policy with substantial diplomatic support for both sides, seeking a resumption of negotiations without preconditions, building on previous agreements and resolving the core issues of the conflict to settle it once and for all. We also back up our policy with significant financial support to the Palestinian Authority and to Palestinian refugees, for whom the U.S. is the largest single-state donor. The U.S. views the General Assembly's extraordinary, one-sided fixation against Israel as deeply corrosive and

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harmful to balanced, good-faith efforts to achieve a just and lasting peace.

¶4. (SBU) The United States has two long-term goals with respect to the UNGA's handling of this issue. First, we seek a reduction in the overall number of resolutions, which can come as countries join us in realizing their redundancy and starting to vote against or abstain on repetitive items. Second, we seek to defeat three resolutions in particular that reaffirm the existence and activities of three UN bodies which -- unlike any others in the UN system -- have as their inherent purpose the promotion of a culture of bias against one UN member state, (i.e., Israel). These are the Committee on the Exercise of the Inalienable Rights of the Palestinian People; the Division for Palestinian Rights within the UN Secretariat; and the Special Committee to Investigate Israeli Practices Affecting the Human Rights of the Palestinian People and Other Arabs of the Occupied Territories. Not only do these bodies consume UN resources while making no useful contribution to Middle East peace and the two-state solution, they also help create what amounts to a self-perpetuating echo chamber, helping to justify the UNGA's continuing disproportionate fixation on this issue.

¶5. (SBU) In the immediate term, the USG also seeks to consolidate and expand opposition to calls for the full and undifferentiated implementation of the recommendations contained in the Goldstone report on the fighting in Gaza from December 2008-January 2009 (see reftel for detailed background). While sharing our strong support for accountability -- including criminal investigations and prosecutions when warranted -- many states also share our concerns about the report's unbalanced focus on Israeli actions, overly-sweeping conclusions, the excessively negative inferences it draws about Israel's intentions and actions, its failure to deal adequately with the asymmetrical nature of the Gaza conflict, and its many overreaching recommendations. The November 5 vote in the General Assembly -- on a resolution endorsing the Human Rights Council's resolution which had endorsed the report's recommendations -- reflected these concerns. Eighteen nations voted against the resolution -- by far the highest number of 'no' votes for a resolution dealing

with Israel in the past five years. In addition, 44 nations abstained (including most of the EU), 16 were absent (likely intentionally on such a high-profile vote), and several (notably Argentina, Chile, Guatemala, Mexico and Paraguay) delivered explanations of their 'yes' votes noting varying levels of concern with the report's recommendations. We hope that these more than 80 states will continue to register opposition or concerns with the Goldstone report recommendations by voting 'no,' abstaining or absenting themselves on any of this year's recurring UNGA resolutions that indicate undifferentiated support for the report (see paragraph 10).

UNGA Resolutions in 2008

¶6. (U) In its 63rd session, (2008-9) the UNGA passed seventeen resolutions explicitly criticizing Israel, plus four expressing support for the Palestinian people vis-a-vis their relationship to Israel. To place this in context, only five other UNGA resolutions explicitly criticized specific member states -- one each for North Korea, Iran, Burma, Honduras and the United States. Posts may provide the following list of resolutions to host-country interlocutors as a non-paper:

¶A. Resolutions of the 63rd UNGA explicitly critical of Israel:

-- Peaceful Settlement of the Question of Palestine (63/29);

-- Permanent Sovereignty of the Palestinian People in the Occupied Palestinian territory, including East Jerusalem, and of the Arab Population in the Occupied Syrian Golan over their Natural Resources (63/201);

-- Israeli Settlements in the Occupied Palestinian Territory, including East Jerusalem and the Occupied Syrian Golan (63/97);

-- Committee on the Exercise of the Inalienable Rights of the Palestinian People (63/26);

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-- Division for Palestinian Rights of the Secretariat (63/27);

-- Persons Displaced as a result of the June 1967 and Subsequent Hostilities (63/92);

-- Palestinian Refugees' Property and their Revenues (63/94);

-- Jerusalem (63/30);

-- The Syrian Golan (63/31);

-- The Occupied Syrian Golan (63/99);

-- Work of the Special Committee to Investigate Israeli Practices Affecting the Human Rights of the Palestinian People and Other Arabs of the Occupied Territories (63/95);

-- Israeli Practices Affecting the Human Rights of the Palestinian people in the Occupied Palestinian Territory, including East Jerusalem (63/98);

-- Applicability of the Geneva Convention relative to the Protection of Civilian Persons in Time of War of 12 August 1949, to the Occupied Palestinian Territory, including East Jerusalem, and the other occupied Arab territories (63/96);

-- Operations of the United Nations Relief and Works Agency for Palestinian Refugees in the Near East (63/93);

-- Financing the United Nations Interim Force in Lebanon (63/298) (Note: Out of seventeen UNGA resolutions funding peacekeeping operations, including the forces for Darfur and the Congo, only this one criticizes the actions of a UN member state);

-- The Risk of Nuclear Proliferation in the Middle East (63/84) (Note: Israel is the only state mentioned by name);

-- Oil Slick on Lebanese Shores (63/211).B. Resolutions of the 63rd UNGA focused exclusively on Palestinian issues:

-- Special Information Programme on the Question of Palestine of the Department of Public Information of the Secretariat (63/28);

-- The Right of the Palestinian People to Self-Determination (63/165);

-- Assistance to the Palestinian People (63/140);

-- Assistance to Palestinian Refugees (63/91).

Additional information on these resolutions, including their full texts, voting outcomes and a summary of the debate can be found on the UN website at "<http://www.un.org/ga/63/resolutions.shtml>"

End Listing of resolutions.

¶7. (U) As noted above, each year the United States places special emphasis on three resolutions reaffirming the establishment, financing and activities of UN bodies focused exclusively on Palestinian issues. In 2008 the voting on these resolutions was as follows:

-- Committee on the Exercise of the Inalienable Rights of the Palestinian People (resolution 63/26), approved 107-8, with 57 abstentions;

-- Division for Palestinian Rights of the Secretariat (resolution 63/27), approved 106-8 with 57 abstentions;

-- Work of the Special Committee to Investigate Israeli Practices Affecting the Human Rights of the Palestinian People and Other Arabs of the Occupied Territories (resolution 63/95), approved 94-8 with 73 abstentions.

Strategic Considerations

¶8. (C) Voting Patterns. In assessing how to deliver the demarche, Posts may find it useful to factor in their host-countries' voting record in 2008-9, which is

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generally consistent with the pattern from past years. The seven groupings of states listed below are presented in order from most problematic to the most supportive of the U.S. position. Additional detail on an individual country's voting pattern can be found in "Voting Practices in the United Nations, 2008," available on the Department internet website at "<http://www.state.gov/p/io/rls/rpt/c29990.htm> ."

¶9. Uniformly in favor. Fifty-six countries voted in favor of all 21 one-sided resolutions listed in para 7. In making the demarche, Posts should in most cases expect no change in voting patterns for this year. However, in

some cases -- where the voting pattern does not match known negative attitudes towards Israel (or the United States) -- Posts may wish to point out that in voting this way, the host government has associated itself with the most stridently anti-Israeli elements within the UNGA, a position that serves to harm U.S. interests and the peace process. The countries are:

Afghanistan, Algeria, Antigua-Barbuda, Bahrain, Bangladesh, Belarus, Benin, Brazil, Brunei Darussalam, Burma, Chile, China, Congo, Cuba, Democratic People's Republic of Korea, Djibouti, Dominican Republic, Ecuador, Egypt, Eritrea, Ghana, Indonesia, Iran, Iraq, Jamaica, Jordan, Kenya, Kuwait, Kyrgyzstan, Laos, Libya, Malaysia, Maldives, Mali, Mauritania, Mauritius, Morocco, Nicaragua, Oman, Pakistan, Qatar, Saudi Arabia, Senegal, Singapore, South Africa, Sri Lanka, Sudan, Syria, Tajikistan, Togo, Tunisia, Venezuela, Vietnam, Yemen, Zambia and Zimbabwe.

IB. Consistently in favor. Fifteen countries voted in favor of 20 resolutions, being absent only for the June 2009 vote on Financing the United Nations Interim Force in Lebanon (63/298). Posts' approach should be same as for countries listed in sub-para 8A with:

Azerbaijan, Barbados, Bolivia, Cambodia, Grenada, Lebanon, Mozambique, Namibia, Nepal, Swaziland, Trinidad and Tobago, Turkey, Uganda, United Arab Emirates and Uzbekistan.

IC. Supportive of all Palestinian-exclusive institutions. Sixteen countries abstained or were absent (possibly due to concerns about resolution content) on at least two Israel-related votes during the 63rd UNGA. However, they voted in favor of all three key resolutions listed in paragraph 8, reaffirming the three UN institutions devoted exclusively to Palestinian issues. In making the demarche to these governments, Posts should place special emphasis on the talking points below that urge the host government to seriously review their policy on these redundant and costly institutions:

Angola, Bhutan, Burkina Faso, Central African Republic, Comoros, Dominica, Gabon, Guinea, Guinea-Bissau, Guyana, Haiti, India, Lesotho, Saint Lucia, Saint Vincent and the Grenadines, and Suriname.

ID. Not consistently supportive of the three Palestinian-exclusive UN institutions. Twenty-seven countries had mixed voting records -- abstaining or being absent -- both on the anti-Israel resolutions overall and specifically with respect to the three key resolutions listed in paragraph 7. In making the demarche to these governments, Posts should look for openings to expand this tendency:

-- Yes on 63/26 and 63/27; absent on 63/95: Cape Verde, Nigeria and Solomon Islands.

-- Yes on 63/26; absent on 63/27 and 63/95: Somalia.

-- Yes on 63/95; absent on 63/26 and 63/27: Belize, Niger, Sao Tome and Principe, Tanzania, and Turkmenistan.

-- Yes on 63/26 and 63/27; abstained on 63/95: Argentina, Bahamas, Botswana, Costa Rica, Cote D'Ivoire, Cyprus, Ethiopia, Kazakhstan, Liberia, Malta, Mexico, Paraguay, Philippines and Timor Leste.

-- Yes on 63/26 and 63/95; abstained on 63/27: Armenia.

-- Yes on 63/26; abstained on 63/27 and 63/95: Honduras.

-- Yes on 63/27; abstained on 63/26 and 63/95: Panama and Uruguay.

IE. Non-supportive of the three Palestinian-exclusive UN

institutions. Sixty-eight countries abstained or were absent for the votes on all three key resolutions listed in paragraph 7. For non-EU states listed here, effective encouragement from Posts may be needed to sustain this voting pattern. For EU states, the voting pattern is a reflection of negotiations the EU undertakes with the Palestinian observer delegation each year to try to ensure that its members will be able to abstain on these and other Israel-related resolutions, rather than to vote against. But some EU states may be willing to abstain or be absent on resolutions other than these three:

Albania, Andorra, Austria, Belgium, Bosnia and Herzegovina, Bulgaria, Burundi, Cameroon, Chad, Colombia, Croatia, Czech Republic, Denmark, Democratic Republic of Congo, El Salvador, Estonia, Equatorial Guinea, Fiji, Finland, France, Gambia, Georgia, Germany, Greece, Guatemala, Hungary, Iceland, Ireland, Italy, Japan, Republic of Korea, Kiribati, Latvia, Liechtenstein, Lithuania, Luxembourg, Madagascar, Moldova, Monaco, Mongolia, Montenegro, Netherlands, New Zealand, Norway, Papua New Guinea, Peru, Poland, Portugal, Romania, Russian Federation, Rwanda, Saint Kitts and Nevis, Samoa, San Marino, Serbia, Seychelles, Sierra Leone, Slovakia, Slovenia, Spain, Sweden, Switzerland, Thailand, The Former Yugoslav Republic of Macedonia, Tonga, Ukraine, United Kingdom and Vanuatu.

IF. Potential concern over the misapplication of racial discrimination initiatives. Seven countries -- all of which are also listed in sub-para 9E -- voted against the annual follow-up resolution on the Durban Declaration, "Global Efforts for the Total Elimination of Racism." Their rationale likely included concern over the past identification of Zionism with racism by some participants in the Durban process, and the use of the Durban II conference by some participants (notably Iran) as a platform to attack Israel rhetorically. This perspective makes these seven countries among the most sensitive to our basic argument that the sheer number and one-sidedness of Israel-related resolutions is deeply counterproductive for both the UN system and peace efforts -- irrespective of the redundant details of each resolution. In preparing their demarches, Posts should also consider that these governments can be potentially strong advocates for the U.S. position (or something close to it) among their EU and Pacific island counterparts:

Czech Republic, Denmark, Netherlands, New Zealand, Poland, Romania and the United Kingdom.

IG. Consistently supportive of the U.S. position. Eight countries (including the United States) voted against almost all of the 21 resolutions listed in para 6, including all three of the resolutions on Palestinian-exclusive UN institutions listed in para 7. These are our consistent partners in trying to deflect these resolutions and prevent Israeli isolation:

Australia, Canada, Israel, Marshall Islands, Micronesia, Nauru and Palau.

I9. (C) Non-Aligned Movement (NAM). While the Palestinian Observer Mission to the UN has the pen on most of these resolutions, the NAM is the major force garnering support and enforcing bloc voting for their adoption. In prior years, many NAM members have replied to this demarche by saying that they do not strongly support the resolutions, but would be isolated within the NAM and possibly subject to reprisals if they did not go along. In fact, many NAM members have been less than 100 percent compliant. For example, the resolution on the "Special Committee to Investigate Israeli Practices Affecting Human Rights..."

(last year numbered 63/106) is annually one of the lowest vote-getters among the many Israel-related resolutions. Many NAM members abstain or absent themselves, demonstrating that one need not follow the position dictated by the NAM.

In 2008, sixteen NAM members abstained on resolution 63/106: Bahamas, Botswana, Burundi, Cameroon, Colombia, Cote d'Ivoire, Ethiopia, Guatemala, Honduras, Liberia, Mongolia, Panama, Peru, Philippines, Thailand and Timor Leste.

Seven other NAM states occasionally abstained over the five-year period, 2003-2007, though not all at the same time: Antigua and Barbuda, Bhutan, Central African Republic, Jamaica, Saint Vincent and the Grenadines, and Uganda.

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In addition, in 2008, fifteen NAM members were absent from this vote: Burkina Faso, Cape Verde, Chad, Democratic Republic of the Congo, Equatorial Guinea, Gambia, Madagascar, Papua New Guinea, Rwanda, Saint Kitts and Nevis, Seychelles, Sierra Leone, Somalia and Vanuatu. (Note: three of these countries abstained at least once during the prior five years: Burkina Faso, Cape Verde and Rwanda.)

In presenting the demarche, Posts in these thirty-eight countries should make a special effort to encourage host governments to continue to abstain or absent themselves on this resolution and to extend that practice to other resolutions as well. Other posts in the Caribbean, Central Africa and the Pacific islands -- the areas in which most of these abstentions and absences were concentrated -- may wish to encourage host governments to join with neighboring NAM nations in abstaining or at least absenting themselves. Posts in other NAM members states should draw from this paragraph if told that the host government cannot break from NAM consensus without serious repercussions.

¶10. (C) Goldstone Report. Each year, the text of the Israel-related resolutions varies based on negotiations between the Palestinians and other delegations in New York, particularly representatives of the EU. Thus far this year, three resolution texts (shared with the USG by the EU on Friday, November 13) include references to the Goldstone report. The initial votes on these resolutions in the Fourth Committee (on Special Political and Decolonization issues) will occur likely on Thursday, November 19. In effect, this is an attempt to get countries that opposed or abstained on the November 5 Goldstone report resolution to endorse the report in some form. The three resolutions affected thus far are the:

-- Work of the Special Committee to Investigate Israeli Practices Affecting the Human Rights of the Palestinian People and Other Arabs of the Occupied Territories (reference number in 2008: 63/95);

-- Israeli Practices Affecting the Human Rights of the Palestinian people in the Occupied Palestinian Territory, including East Jerusalem (reference number in 2008: 63/98).

-- Applicability of the Geneva Convention relative to the Protection of Civilian Persons in Time of War of 12 August 1949, to the Occupied Palestinian Territory, including East Jerusalem, and the other occupied Arab territories (reference number in 2008: 63/96).

In 2008, the EU abstained as a bloc without exception on the first of these (the Special Committee (63/95)), and voted as a bloc without exception in favor of the other two. Most EU members are likely to take the same

positions this year, with many other nations following their lead.

However, a few EU states that voted against the November 5 Goldstone report resolution may be persuaded to oppose the Special Committee resolution (formerly 63/95) this year and to abstain or even vote 'no' on the other two, in light of the newly inserted Goldstone language, although that would mean going counter to the EU consensus on these resolutions. Other states abstaining on the Goldstone report UNGA resolution may be willing to do the same on the Israeli Practices (formerly 63/98) and Geneva Convention (formerly 63/96) resolutions.

The draft Special Committee (formerly 63/95) and Israeli Practices (formerly 63/98) resolutions now contain (in preambular paragraphs (PPs) 8 and 21 respectively) language citing "grave concern with the findings of" the Goldstone report, "and stressing the necessity for serious follow-up by all parties of the recommendations addressed to them towards ensuring accountability and justice." This vaguely-worded, open-ended formulation can be taken to mean that the UN Security Council, International Criminal Court, International Court of Justice, and third-party states acting under "universal jurisdiction" should all follow the recommendations directed towards them in the Goldstone report (see ref tel for additional details).

The draft resolution (formerly 63/96) on the applicability of the Geneva Convention to the Palestinian Territories now contains in PP 9, language "welcoming and encouraging the initiatives by States parties... aimed at

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ensuring respect for the Convention, as well as the efforts of the depositary State of the Geneva Conventions in this regard." This appears to be an oblique reference to the call in the Goldstone report for Switzerland to convene a special conference of all Geneva Convention signatories to review the report and Israeli actions discussed therein. Those who voted 'no' or abstained on the November 5 Goldstone report resolution may be persuaded to do the same on this resolution to avoid associating themselves with those calling for this conference.

Voting on the Goldstone report resolution:

-- Eighteen states voted against (including seven EU members): Australia, Canada, Czech Republic, Germany, Hungary, Israel, Italy, Marshall Islands, Micronesia, Nauru, Netherlands, Palau, Panama, Poland, Slovakia, the former Yugoslav Republic of Macedonia, Ukraine and the United States.

-- Forty-four abstained (including most of the EU): Andorra, Austria, Belgium, Bulgaria, Burkina Faso, Burundi, Cameroon, Colombia, Costa Rica, Croatia, Denmark, Estonia, Ethiopia, Fiji, Finland, France, Georgia, Greece, Iceland, Japan, Kenya, Latvia, Liberia, Liechtenstein, Lithuania, Luxembourg, Moldova, Monaco, Montenegro, New Zealand, Norway, Papua New Guinea, Republic of Korea, Romania, Russian Federation, Samoa, San Marino, Spain, Swaziland, Sweden, Tonga, Uganda, United Kingdom and Uruguay.

-- Sixteen delegations were absent (or chose not to register even an abstention): Bhutan, Cape Verde, Cote d'Ivoire, Equatorial Guinea, Honduras, Kiribati, Kyrgyzstan, Madagascar, Rwanda, Saint Kitts and Nevis, Sao Tome and Principe, Seychelles, Togo, Turkmenistan, Tuvalu and Vanuatu.

-- Five EU members voted in favor: Cyprus, Ireland, Malta, Portugal and Slovenia.

Note on NAM voting: Twenty-four NAM members voted against, abstained or absented themselves on the November 5 Goldstone report resolution: Against: Panama; Abstain: Burkina Faso, Burundi, Cameroon, Columbia, Ethiopia, Kenya, Liberia, Papua New Guinea, Swaziland and Uganda; Absent: Bhutan, Cape Verde, Cote d'Ivoire, Equatorial Guinea, Honduras, Madagascar, Rwanda, Saint Kitts and Nevis, Sao Tome and Principe, Seychelles, Togo, Turkmenistan and Vanuatu. For all twenty-four countries, Posts should emphasize that a 'no' vote or 'abstention' in resolutions referencing the Goldstone report would be consistent with the position they took on the Goldstone report UNGA resolution itself. In some cases, these votes broke from previous voting patterns. For example, four of these countries -- Kenya, Swaziland, Uganda and Togo -- are included in groups A and B in para 8: states that voted uniformly or consistently in favor of virtually all of the Israel-related resolutions in 2008. Three other countries -- Sao Tome and Principe, Turkmenistan and Vanuatu -- are not included in para 9, the listing of NAM members who previously abstained or absented themselves on the "Special Committee" resolution (the same is also true of Kenya, Swaziland and Togo). Posts in these countries should follow-through on these new developments, seeking to shift host governments permanently into the 'no' or 'abstain' columns on as many resolutions as possible.

Talking Points

¶11. (U) Posts may draw from the following points as appropriate, taking into consideration the strategic factors discussed in para 8-10. Begin Talking Points:

-- With respect to the situation in the Middle East, the United States has clearly stated our policy that there should be two states living side by side in peace and security: a Jewish state of Israel and a viable, independent Palestinian state with contiguous territory that ends the occupation that began in 1967.

-- We seek to resume negotiations without preconditions, building on previous agreements and resolving the core issues of the conflict to settle it once and for all. We also back up our policy with significant financial support to the Palestinian Authority and to Palestinian refugees, for whom the U.S. is the largest single-state

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donor.

-- We see no contradiction whatsoever between support for the Palestinian people and support for Israel. Both sides need support to be able to take the steps necessary for a just and lasting peace.

-- Each year, therefore, we are discouraged as the UN General Assembly unhelpfully takes up a disproportionate number of resolutions related to the Middle East, all unbalanced by their explicit or implicit one-sided criticism of Israel.

-- These resolutions are repetitive, extraordinarily disproportionate, and completely unlike the UNGA's action with respect to any other member state, geographic area or issue. They place demands on the Israeli side while failing to acknowledge that both sides have obligations and must take difficult steps towards peace.

-- The U.S. accepts the principle that the UNGA may look into the practices of individual states. However, last year the UNGA adopted only five resolutions specifically critical of member states other than Israel. We

supported four of these resolutions and opposed one. Three focused on severe human rights abuses in North Korea (63/190), Iran (63/191), and Burma (63/245); one addressed the breakdown of democracy in Honduras (63/301); and one called for the United States to end its embargo of Cuba (63/7).

-- Last year, the UNGA adopted 17 resolutions specifically critical of Israel and four resolutions expressing support for the Palestinian people vis-a-vis their relationship to Israel. It is set to do so again this year. All told, these 21 resolutions took up 65 pages of text, compared to 16 pages for the resolutions criticizing the five other states. This represents an extraordinarily disproportionate and unjustified focus on one member state.

-- Just as serious as their one-sided nature, the resolutions undermine efforts to resume negotiations, thus damaging the institutional credibility of the UN, which as a member of the Quartet (U.S., EU, UN, Russia), must remain objective in order to help facilitate a resolution to the Middle East conflict.

-- The resolutions can have a serious corrosive effect, both by convincing many Israelis that they will be treated unfairly by the UN no matter what concessions they offer, and by convincing extremist elements on the Palestinian side that they will not be criticized no matter what they do, up to and including terrorist attacks targeting civilians.

-- The resolutions also presuppose the outcome of permanent-status issues that properly belong in ongoing bilateral negotiations between the Israelis and the Palestinians, as agreed by the parties, thus making it more difficult to resolve such issues.

-- They add nothing to the far more detailed and up-to-date monthly discussions of the Security Council on the situation in the Middle East, and its quarterly open meetings on the subject at which many can, and do, speak.

-- For these reasons, we call on all member states to join us in instructing Missions in New York to vote against or abstain on these resolutions, or at least to absent their delegations when they come up for a vote.

-- We are appreciative of any change of vote from "yes" to abstain or not voting, or from abstain to "no." For those already joining us in opposition to these resolutions, we reiterate our thanks.

-- Of particular concern to the U.S. are three resolutions extending three UN bodies, established more than a generation ago, which do not contribute to peace in the region: the Committee on the Exercise of the Inalienable rights of the Palestinian People; the Division for Palestinian Rights; and the Special Committee to Investigate Israeli Practices Affecting the Human Rights of the Palestinian People and Other Arabs of the Occupied Territories.

-- These bodies waste limited UN resources (both personnel and money) and perpetuate the perception of an inherent UN bias inconsistent with support for the Roadmap, which properly demands actions from both sides,

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not just Israel.

-- The time has come for the UN General Assembly to review these entities in light of their actual contribution, or lack thereof, towards a solution for the conflict in the Middle East.

-- Over the past several years, support for these three resolutions has eroded. Last year, 94 countries voted "no" or abstained on at least one of them. For the vote on the Special Committee to Investigate Israeli Practices Affecting the Human Rights of the Palestinian People, the combined "no" votes and abstentions almost equaled the "yes" of 94. Clearly, there is no longer anything close to consensus support for these bodies.

-- We would encourage your delegation in New York to be in touch with the U.S. delegation on these issues.

End Talking Points.

¶12. (U) Optional points for use at Posts' discretion with those voting against, abstaining from, absenting themselves, or otherwise registering their concerns on the November 5 UNGA resolution on the Goldstone report.
Begin optional points:

-- This year, language referring to the Goldstone report on the fighting in Gaza is being inserted into several resolutions. We ask your government to reassess its vote on these resolutions in light of your recent position on the November 5, 2009 General Assembly resolution endorsing the Human Rights Council's endorsement of the report.

-- The United States shares the deep concern of the international community regarding the fighting last winter in Gaza. We also strongly support accountability -- including criminal investigations and punishments when warranted -- for violations of international human rights and humanitarian law. We have engaged the Israeli government to stress the importance of conducting a complete and credible inquiry into all alleged violations. Israel has the capacity and democratic institutions to conduct investigations of this sort.

-- As a UN Human Rights Council member, we have studied the Goldstone report in detail and have serious concerns about it, including its unbalanced focus on Israeli actions; the excessively negative inferences it draws about Israel's intentions and actions; its failure to deal adequately with the asymmetrical nature of the Gaza conflict; its sweeping legal conclusions; and its many overreaching recommendations. We know that others share these concerns. Thus far, we have noted three draft resolutions that contain language on the Goldstone report.

-- The draft resolutions on the "Work of the Special Committee to Investigate Israeli Practices Affecting the Human Rights of the Palestinian People..." and "Israeli Practices Affecting the Human Rights of the Palestinian People..." cite a "grave concern with the findings of" the Goldstone report, "and stressing the necessity for serious follow-up by all parties of the recommendations addressed to them towards ensuring accountability and justice." This open-ended formulation can be taken to mean that the Security Council, International Criminal Court, International Court of Justice, and third-party states acting under "universal jurisdiction" should all follow the recommendations directed towards them in the report. Those who do not support calls for the full and undifferentiated implementation of such measures should not vote for these two resolutions.

-- Similarly, the draft resolution on the "Applicability of the Geneva Convention to the Palestinian Territories..." contains language "welcoming and encouraging the initiatives by States parties... aimed at ensuring respect for the Convention, as well as the efforts of the depositary State of the Geneva Conventions in this regard." This appears to be an oblique reference to the call in the Goldstone report for Switzerland, as the depositary state, to convene a special conference of all Geneva Convention signatories to review the report

and Israeli actions discussed therein. Those who do not support holding such a conference should not vote for this resolution.

End Optional Points.

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Point of Contact and Initial Deadline

¶13. (SBU) Initial responses are requested by front channel cable as soon as possible, ideally by noon EST, Thursday, November 19, bearing in mind that the first votes in committee will take place later that same day. Please keep in mind that Wednesday, November 24 is the last effective USG working day before some of these resolutions come up for a vote in plenary on November 30; any cables received after noon, EST on November 24 might have only limited effect this year. That said, a continuing dialogue will be necessary to gradually shift the vote totals consistent with USG objectives, so follow-up cables with additional substantive information are welcome at any time. Please include USUN New York as an info addressee, indicate at what level the demarche was delivered, and slug responses for IO/UNP Andrew Morrison and the appropriate regional coordinator.

¶14. (U) Conakry and Tripoli minimize considered.
CLINTON